

IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JOSE RAMIREZ,

Plaintiff,

v.

Civil Action No. 1:10cv18
(Judge Keeley)

ERIC HOLDER, United States Attorney General,
and HARLEY LAPPIN, Director of Federal Bureau of Prisons,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

On June 4, 2010, United States Magistrate Judge James E. Seibert issued a Report and Recommendation ("R&R") (dkt. 16), in which he recommended that the Court dismiss this action for failure to state a claim. The R&R also specifically warned Ramirez that failure to object to the recommendation would result in the waiver of appellate rights on this issue. Nevertheless, Ramirez filed no objections before the time to do so expired.¹ Consequently, the Court **ADOPTS** the R&R in its entirety and **DISMISSES** this case **WITH PREJUDICE**.

It is so ORDERED.

¹The failure to object to the R&R not only waives appellate rights in this matter, but also relieves the Court of any obligation to conduct a *de novo* review of the issues presented. See Thomas v. Arn, 474 U.S. 140, 148-153 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 199-200 (4th Cir. 1997).

ORDER ADOPTING REPORT AND RECOMMENDATION

Pursuant to Fed.R.Civ.P. 58, the Court directs the Clerk of Court issue a separate judgment order and to transmit copies of both orders to counsel of record and to the pro se plaintiff, certified mail, return receipt requested.

Dated: July 7, 2010.

/s/ Irene M. Keeley

IRENE M. KEELEY

UNITED STATES DISTRICT JUDGE